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**UNITED STATES DISTRICT COURT  
 CENTRAL DISTRICT OF CALIFORNIA**

TORTILLA FACTORY, LLC, a California limited liability company,

Plaintiff(s),

v.  
 MAKANA BEVERAGES, INC., a Delaware corporation; et al.,

Defendant(s).

CASE NUMBER

2:18-CV-2981-MWF-PLA

**NOTICE OF DISMISSAL PURSUANT  
 TO FEDERAL RULES OF CIVIL  
 PROCEDURE 41(a) or (c)**

PLEASE TAKE NOTICE: (*Check one*)

- ☐ This action is dismissed by the Plaintiff(s) in its entirety.
- ☐ The Counterclaim brought by Claimant(s) \_\_\_\_\_ is dismissed by Claimant(s) in its entirety.
- ☐ The Cross-Claim brought by Claimants(s) \_\_\_\_\_ is dismissed by the Claimant(s) in its entirety.
- ☐ The Third-party Claim brought by Claimant(s) \_\_\_\_\_ is dismissed by the Claimant(s) in its entirety.
- ☒ **ONLY** Defendant(s) UNITED NATURAL FOODS, INC., a Delaware corporation; UNITED NATURAL FOODS WEST, INC., a California corporation; KEHE DISTRIBUTORS, INC., a Delaware corporation; and Hi-Touch Distribution, Inc., a California Corporation.

is/are dismissed from (*check one*) ☒ Complaint, ☐ Counterclaim, ☐ Cross-claim, ☐ Third-Party Claim brought by Tortilla Factory, LLC

The dismissal is made pursuant to F.R.Civ.P. 41(a) or (c).

August 16, 2018

*Date*

/s/ Stephen D. Weisskopf

*Signature of Attorney/Party*

**NOTE: F.R.Civ.P. 41(a):** This notice may be filed at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs.

**F.R.Civ.P. 41(c):** Counterclaims, cross-claims & third-party claims may be dismissed before service of a responsive pleading or prior to the beginning of trial.